

# TENT COOPERATION TREA

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

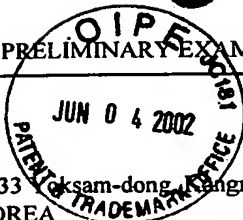
**PCT**



To:

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## NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

( PCT Rule 71.1 )

Date of mailing  
(day/month/year) 12 APRIL 2002 (12.04.2002)

Applicant's or agent's file reference  
OPP 990764 KR

### IMPORTANT NOTIFICATION

International application No.

**PCT/KR00/01461**

International filing date (day/month/year)

14 DECEMBER 2000 (14.12.2000)

Priority date (day/months/year)

17 DECEMBER 1999 (17.12.1999)

Applicant

MICROBIA CORPORATION LIMITED. et al

1. The applicant is hereby notified that International Preliminary Examining Authority transmits here with the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**  
The applicant must enter the national phase before each elected office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details in the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/KR

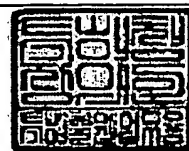
Korean Intellectual Property Office  
Government Complex-Daejeon, 920 Dunsan-dong, Seo-gu,  
Daejeon Metropolitan City 302-701, Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

COMMISSIONER

Telephone No. 82-42-481-5210





# INTERNATIONAL COOPERATION TREATY PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

Applicant's or agent's file reference OPP 990764 KR	<b>FOR FURTHER ACTION</b>	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. <b>PCT/KR00/01461</b>	International filing date (day/month/year) 14 DECEMBER 2000 (14.12.2000)	Priority date (day/month/year) 17 DECEMBER 1999 (17.12.1999)
International Patent Classification (IPC) or national classification and IPC <b>IPC7 A23L 1/20</b>		
Applicant <b>MICROBIA CORPORATION LIMITED. et al</b>		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 16 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☒ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand  23 MAY 2001 (23.05.2001)	Date of completion of this report  11 APRIL 2002 (11.04.2002)
Name and mailing address of the IPEA/KR Korean Intellectual Property Office Government Complex-Daejeon, 920 Dunsan-dong, Seo-gu, Daejeon Metropolitan City 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer  LEE, Ho Jo  Telephone No. 82-42-481-5631





## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR00/01461

## I. Basis of the report

## 1. With regard to the elements of the international application:\*

☐ the international application as originally filed☒ the description:

pages \_\_\_\_\_, as originally filed

pages \_\_\_\_\_, filed with the demand

pages 1-13, filed with the letter of 22 February 2002

☒ the claims:

pages \_\_\_\_\_, as originally filed

pages \_\_\_\_\_, as amended (together with any statement) under Article 19

pages \_\_\_\_\_, filed with the demand

pages 14-15, filed with the letter of 22 February 2002

☒ the drawings:

pages 1/1, as originally filed

pages \_\_\_\_\_, filed with the demand

pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

☐ the sequence listing part of the description:

pages \_\_\_\_\_, as originally filed

pages \_\_\_\_\_, filed with the demand

pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

## 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language English which is☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☒ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

## 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. ☒ The amendments have resulted in the cancellation of:☐ the description, pages \_\_\_\_\_☒ the claims, Nos. 7-13☐ the drawings, sheet \_\_\_\_\_5. ☐ This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed." and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.  
PCT/KR00/01461

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-6	YES
	Claims		NO
Inventive step (IS)	Claims	1-6	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-6	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following document:

D1: KR-A-1999-65688

1. The subject matter of present independent claims 1 and 5 is a method for preparing bean curd; the method comprises the step of preparing lactic acid bacteria culture by fermenting a mixture of vegetables and/or fruits, salt, sugar and water, and the step of adding it to the bean soup.

D1 is considered to be the closest prior art document in the search report. It discloses adding lactic acid bacteria to the bean soup to curdle the soy protein and to form tofu (bean curd).

The subject matter of present claims 1 and 5 is not referred to in the cited prior art. Thus the novelty of the subject matter can be acknowledged (Article 33(2) PCT).

2. The subject matter of present claims 1 and 5 differs from D1 in that a method for curdling soy protein comprises the steps of preparing a lactic acid bacteria culture and adding it to the the bean soup. It cannot be easily derived from adding lactic acid bacteria to the bean soup. Additionally, it cannot be easily chosen by a person skilled in the tofu production field. Therefore an inventive step can be acknowledged for the subject matter of claims 1 and 5 (Article 33(3) PCT).



# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR00/01461

VI. Cited documents cited

## 1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
KR-A-1999-65688	05/08/1999	16/01/1998	

## 2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
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# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR00/01461

## VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The sentence "the lactic acid bacteria culture is lactic acid bacteria" in claim 2 is unclear, thereby resulting in lack of clarity (Article 6 PCT) when used to interpret claim.